

APPROVED 9-10-12
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, August 6, 2012 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Curtis D. Andrews, Sr., Secretary
Theresa Ranciato-Viele
Edward M. Homa, Alternate, sitting
Richard E. Wilson, Alternate, sitting

MEMBERS ABSENT:

James J. Giulietti

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Jennifer Coppola, Town Counsel
Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:09 p.m. and introduced the Commissioners, alternates and town staff. Then Mr. Carlson asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that there were none.

PUBLIC HEARINGS:

Mr. Andrews read the call for the first Public Hearing.

1. #P12-16 Application of Bernard Pellegrino, Applicant, proposed amendment to the North Haven Zoning Regulations, to Add Section 4.4.1.38, to allow an Upper Washington Avenue Multi-Use (UWMU) Development Zone. The proposed amendment is on file in the Land Use Office and the Office of the Town Clerk.

Attorney Bernard Pellegrino, Jr. of the Pellegrino Law Firm presented the application that would allow a Multi-Use Development Zone on the upper east side of Washington Avenue. He stated that this Multi-Use Development Zone would stimulate economic development in this area of town.

Then Attorney Pellegrino reviewed the proposed regulations with the Commission and Mr. Steven Inglese, Developer, discussed economic opportunities for the town. Attorney Pellegrino then submitted a traffic study conducted by Bubaris Traffic Associates, Exhibit A.

Mr. Carlson asked for public comment:

Public comment:

1. Mary White, 67 Summer Lane, asked that the proposed amendment be modified before it is approved. Then she discussed the proposed modifications and stated that she would like to see a Police and Fire study conducted for this development. She submitted photographs of evergreen buffer plantings, Exhibit 1.
2. Patrick O'Brien, 7 Buell Street, spoke in favor of the application. He feels it is a great tax revenue and will give young professionals an opportunity to live in town.
3. Ann Ruocco, 23 Ansonia Drive, feels it should be Quinnipiac University's responsibility for housing their students and that North Haven has enough rental property to house these students. She has concerns with increased traffic on Washington Avenue, shared parking and absentee landlords. She feels 2,500 students are too much for North Haven to handle and that this proposal will be a drain on taxes. She asked about the different types of multi-family homes and the number of bedrooms being proposed.
4. Brian Testa, 251 Maple Avenue, asked who will have control of the types of businesses coming into this development.
5. Albert Scafati, 55 Knollwood Road, spoke in favor of the amendment. He feels upper Washington Avenue needs to be improved.
6. Richard Lopresti, Economic Development Chairman, 175 Sentinel Hill Road, spoke in favor of the amendment. He feels North Haven is lacking in housing and this is a good solution for housing Quinnipiac students.
7. Nicole Troia, owner of Antonio's Pizza, spoke in favor of the amendment.
8. Steve Nugent, Inland Wetlands Commissioner, 335 Kings Highway, has concerns with the quality of the development and would like to see some modifications made to the proposed amendment. He would also like to see affordable housing units included in this proposal and feels the proposed parking is more than adequate.
9. Roberta DiNicola, 600 Washington Avenue, Unit #B-2, has concerns with increased traffic and the negative impact this development could have on property values in her area.
10. Stephen Stern, 600 Washington Avenue, Unit #A-7, spoke in favor of the Amendment; however, he wants to make sure this proposal is developed in a way that works best for the town.

Attorney Pellegrino responded to the public comment.

Mr. Andrews and Mr. Fredricksen read the following letters, into the record, from individuals in favor of this amendment, Exhibits 2 through 8.

- Anne McKeon, North Haven Housing Authority
- Marjorie Bergin, 30 Watson Avenue
- Richard Iovanne, 20 Ridgewood Avenue
- Matthew Becker, 73 Defco Park Road
- Paul Mayer, Chairman, Quinnipiac Chamber of Commerce
- Raymond DeFrancesco, 41 Brockett Farm Road
- Mark DeFrancesco, 1782 Ridge Road

There being no further questions, the Public Hearing was closed.

BREAK: 9:50 – 10:00 PM

Mr. Andrews read the call for the second Public Hearing.

2. #P12-18 Continuation of the Resubdivision Application of East Brown Associates, Owner and Applicant, for fifteen (15) lots relative to 301 Kings Highway, (Map 98, Lot 2). Plan Entitled: Anderson Sunnyside Farm - Section II, Kings Highway, North Haven, Connecticut. Prepared by Conklin & Soroka, Inc. Dated September 2011, rev. 2-10-12. Scale 1" = 50'. R-40 Zoning District.

Attorney Jennifer Coppola explained the settlement agreement process regarding this application.

Mr. Fredricksen submitted the following letters from residents stating their concerns regarding this project:

- Sid Levine, 23 Legrand Road
- Roberta Friedman, 24 Legrand Road

Attorney Steven Murphy, representing the applicant, continued presenting the application in accordance with the Settlement Agreement approved by the Commission on April 2, 2012. The applicant is requesting approval for fifteen (15) lots, including lot #15 that includes the existing house on the property. He submitted an abutter mailing list, Exhibit A, and then addressed the public comment from the July 9, 2012 Planning & Zoning meeting.

Mr. E. Paul Lambert of Lambert Engineering described the water management system and reviewed the Quinnipiac Valley Health District report. Then he answered questions from the Commission.

Mr. Carlson asked for public comment.

Public comment:

1. Daena Murphy, 1 Legrand Road, asked if the property with the detention basin doesn't sell, who will be responsible for maintaining the basin? She also has concerns with water run off.

There being no further public comment, the Public Hearing was closed.

SITE PLANS:

3. #P12-22 Site Plan Application of John Zyrilis, TPA Design Group, Applicant, Covidien, Owner, relative to 195 McDermott Road, (Map 3, Lots 7&10 and Map 6, Lots 26, 28, 29 & 57). Plan Entitled: Master Plan for Covidien Global Headquarters, Middletown Avenue, McDermott Road, North Haven, Connecticut. Prepared by TPA Design Group. Dated June 26, 2012. Scale 1" = 50'. IL-30 Zoning District.

This application has been postponed to the September 10, 2012 meeting.

4. #P12-23 Site Plan Application of North Haven's Favorite Chicken, LLC, Applicant, Washington Avenue-North Haven Associates, LLC, Owner, relative to 173 Washington Avenue, (Map 73, Lot 21). Plan Entitled: Site Plan for Proposed Popeye's Restaurant, 173 Washington Avenue, (aka Route 5), North Haven, County of New Haven, CT. Prepared by In Site Engineering. Dated 7/11/12. Scale 1" = 20'. IL-30 Zoning District.

Attorney Pellegrino, Jr. presented the application to permit a Popeye's Restaurant at 173 Washington Avenue. Mr. Robert Freud, P.E. of In Site Engineering described the site and the proposed site modifications. The Commission and Mr. Jonathan Bodwell, Town Engineer, asked questions and Mr. Freud and Attorney Pellegrino responded. Then Attorney Pellegrino submitted a floor plan and elevation map, Exhibit A.

OTHER: None

CEASE & DESIST ORDERS:

Mr. Fredricksen, Land Use Administrator, outlined current zoning violations with the Commission.

- 293 Quinnipiac Avenue – Firewood business, Non-Permitted Use. A Cease & Desist Order was sent on July 9, 2012.
- 55 State Street – Conducting a business without proper approvals from Planning & Zoning. A Cease & Desist Order was sent on July 11, 2012.
- 3443 Dixwell Avenue – Renting violation. A Cease & Desist Order was sent on July 24, 2012.

- 53 Susan Lane – Keeping of animals (rabbit) without having the two acre minimum zoning requirement. A Cease & Desist Order was sent on July 24, 2012.
- 231 Clintonville Lane – Motor vehicles over ¾ ton capacity in a residential zone. A Cease & Desist Order was sent on July 26, 2012.
- 156 State Street – Parking of trailers in a residential zone. A Cease & Desist Order was sent on August 2, 2012.

INFORMAL PRESENTATION: None

EXTENSIONS: None

BONDS RELEASES & REDUCTIONS: None

CHANGE OF USE:

55 State Street, North of Havana Cigars

Mr. HR Angelico and Mr. Brian Angelico presented the application for a cigar shop.

Mr. Andrews moved to approve the change of use for 2,200 square feet of retail; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Wilson – aye Homa - aye

DELIBERATION SESSION:

Mr. Andrews moved to go into deliberations; Mrs. Ranciato-Viele seconded the motion. All were in favor.

PUBLIC HEARINGS:

1. #P12-16 Application of Bernard Pellegrino, Applicant, proposed amendment to the North Haven Zoning Regulations, to Add Section 4.4.1.38, to allow an Upper Washington Avenue Multi-Use (UWMU) Development Zone.

Mrs. Ranciato-Viele moved to continue the Deliberation Session to the September 10, 2012 meeting; Mr. Homa seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Wilson – aye Homa – aye

2. #P12-18 Resubdivision Application of East Brown Associates, Owner and Applicant, for fifteen (15) lots relative to 301 Kings Highway.

Mr. Andrews moved to approve the application with full sidewalks extending onto Kings Highway; Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Wilson – aye Homa – aye

The application was approved with appropriate conditions.

SITE PLANS:

3. #P12-23 Site Plan Application of Washington Avenue-North Haven Associates, LLC, Owner, North Haven's Favorite Chicken, LLC, Applicant, relative to 173 Washington Avenue.

Mr. Andrews moved to approve the application; Mr. Homa seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Wilson – aye Homa – aye

The application was approved with appropriate conditions.

CORRESPONDENCE: - Conn. Federation of Planning & Zoning Agencies, Summer 2012
- CT DEEP – National Railroad Passenger
- Proposed Zoning Amendment, Town of Hamden
-141 Blue Hills Road
-151 Blue Hills Road
- ZEO Report

Mr. Fredricksen reviewed the correspondence with the Commission.

MINUTES:

July 9, 2012

Mrs. Ranciato-Viele moved to approve the minutes of the July 9, 2012 meeting; Mr. Homa seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Homa – aye

ADJOURN:

There being no further business, Mr. Andrews moved to adjourn; Mrs. Ranciato-Viele seconded the motion. The meeting was adjourned at 11:20 PM.